

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 24133 of 2006(W)

PETITIONER:

**E.P.MUHAMMED, S/O.KATHIRI,
70 YEARS, EDAYIKKAL PUTHIYAPURAYIL,
PORIPPAI, CHENGALAI P.O.,
SREEKANDAPURAM, KANNUR DISTRICT.**

**BY ADV. SRI.H.BADARUDDIN
SRI.C.A.JOSEPH**

RESPONDENTS:

- 1. KERALA STATE ELECTRICITY BOARD,
REP. BY CHIEF ENGINEER, VYDYUTHI BHAVAN,
PATTAM, THIRUVANANTHAPURAM.**
- 2. ASSISTANT ENGINEER,
ELECTRICAL SECTION,
SREEKANDAPURAM, KANNUR DISTRICT.**

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE OWNERSHIP CERTIFICATE OF THE BUILDINGS
ISSUED FROM THE PANCHAYATH FOR ROOM NO.S.PVIII/321A
DTD. 19/07/2002.
- EXT.P1(A): COPY OF THE OWNERSHIP CERTIFICATE OF THE BUILDINGS
ISSUED FROM THE PANCHAYATH FOR ROOM S.P.VIII/321 DTD.
19/07/2002.
- EXT.P1(B): COPY OF THE OWNERSHIP CERTIFICATE OF THE BUILDINGS
ISSUED FROM THE PANCHAYATH FOR ROOM S.P.VIII/321C
DTD. 19/07/2002.
- EXT.P1(C): COPY OF THE OWNERSHIP CERTIFICATE OF THE BUILDINGS
ISSUED FROM THE PANCHAYATH FOR ROOM S.P.VIII/321D
DTD. 19/07/2002.
- EXT.P1(D): COPY OF THE OWNERSHIP CERTIFICATE OF THE BUILDINGS
ISSUED FROM THE PANCHAYATH FOR ROOM S.P.VIII/402A
DTD. 09/08/2006.
- EXT.P2: COPY OF BUILDING PLAN AND DETAILS.
- EXT.P3: COPY OF THE NOTICE ISSUED BY R2 NO.AE/S/c/2002-03/579
DTD. 10/01/2003.

/TRUE COPY/

Kss

K.BALAKRISHNAN NAIR,J.

WP(C)NO.24133 OF 2006-W

Judgment

The petitioner is the owner of rooms with Door nos.321 A to 321D and 402A in Ward No.XIV of Sreekandapuram panchayat. He submits, the building in question is a four-storeyed building. When he purchased it, it was having only the ground floor. The rooms in the three floors other than in the ground floor were constructed by him. There is already power connection granted to the ground floor. So, he applied for power supply to the other floors. Since the said application was not allowed, this Writ Petition is filed, seeking appropriate reliefs.

2. The second respondent has filed a statement, in which it is submitted as follows :

“The contention raised by the petitioner that he has purchased a single storeyed building having three rooms from Sri.K.P.Moideen Kutty and after that the petitioner has constructed 3 floors in addition to the said building itself proves that the petitioner is now occupying a high-rise building and that he wants connection to the said building. The power supply to the said rooms can be given only as per Board Order dealing with providing power supply to multi-storeyed/ high-rise building, since the said rooms owned by the petitioner is a part of multi-storeyed building owned by Sri.Moideen Kutty. In the case of high-rise/multi-storeyed

building, the steps for taking electric connections are to be made by the owner of the multi-storeyed building by providing suitable capacity transformer (if the total connection load exceeds 50 KVA). But, in this case, the owner of the high-rise building has not taken any steps in this regard.”

3. I heard the learned counsel on both sides. The power supply to multi-storeyed buildings is governed by Regulation 13 of the KSEB Terms & Conditions of Supply 2005. If motion is made in accordance with the said Regulation, the respondents will grant electricity connection to the petitioner without delay.

The Writ Petition is disposed of as above.

15.02.2007

K.BALAKRISHNAN NAIR, JUDGE

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